



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shuichi KOHAYASHI et al.

Group Art Unit: 2841

Application No.: 10/771,381

Examiner: I. PATEL

Filed: February 5, 2004

Docket No.: 118575

For: OXIDE SUPERCONDUCTOR CURRENT LEAD AND METHOD OF
MANUFACTURING THE SAME, AND SUPERCONDUCTING SYSTEM

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the august 18, 2005 Restriction and Election of Species Requirement, Applicants provisionally elect Group I corresponding to claims 1-3 and 7-12, and Species VI (see below for explanation), Figures 9, claims 1-3 and 7-11, with traverse.

Examiner Patel is thanked for the August 15, 2005 telephone interview and for clarifying certain aspects of the Restriction/Election of Species requirement during the telephone interview. Specifically, Examiner Patel is thanked for clarifying that the second instances of Species I-V on pages 4 and 5 of the Office Action should have been numbered as Species VI-X. Examiner Patel is further thanked for clarifying that Species V and X should have referred to a circular cylindrical shape rather than a circular column shape in order to eliminate an inadvertent redundancy with respect to Species IV and IX.

It is also respectfully submitted that the subject matter of all claims 1-12 and species I-X is sufficiently related that a thorough search for the subject matter of any one Group of

claims or species would encompass a search for the subject matter of the remaining claims and species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction and Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: September 19, 2005

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